

Message Text

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E.O. 11652: GDS

TAGS: MARR, RP, OVIP (ROBINSON, C.W.)

SUBJECT: TEXT OF AIDE MEMOIRE PRESENTED TO DEPSEC 8/6

REF: MANILA 11733

FOLLOWING IS TEXT OF AIDE MEMOIRE HANDED BY PRESIDENT
MARCOS TO DEPUTY SECRETARY ROBINSON DURING BREAKFAST
MEETING AUGUST 6:

QUOTE

AIDE MEMOIRE

THE CURRENT NEGOTIATIONS ON THE USE OF
FACILITIES WITHIN PHILIPPINE MILITARY BASES BY THE UNITED
STATES ARMED FORCES HAVE DISCLOSED CERTAIN ASPECTS OF
PHILIPPINE SECURITY ARRANGEMENTS RELATED TO THE
PROVISIONS OF THE MUTUAL DEFENSE TREATY (MDT) OF
AUGUST 1951, PARTICULARLY ON THE FOLLOWING:

"ARTICLE IV

"EACH PARTY RECOGNIZES THAT AN ARMED ATTACK
IN THE PACIFIC AREA ON EITHER OF THE PARTIES WOULD

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BE DANGEROUS TO ITS OWN PEACE AND SAFETY AND

DECLARES THAT IT WOULD ACT TO MEET THE COMMON DANGERS IN ACCORDANCE WITH ITS CONSTITUTIONAL PROCESSES.

ANY SUCH ARMED ATTACK AND ALL MEASURES TAKEN AS A RESULT THEREOF SHALL BE IMMEDIATELY REPORTED TO THE SECURITY COUNCIL OF THE UNITED NATIONS. SUCH MEASURES SHALL BE TERMINATED WHEN THE SECURITY COUNCIL HAS TAKEN THE MEASURES NECESSARY TO RESTORE AND MAINTAIN INTERNATIONAL PEACE AND SECURITY.

"ARTICLE V

"FOR THE PURPOSE OF ARTICLE IV, AN ARMED ATTACK ON EITHER OF THE PARTIES IS DEEMED TO INCLUDE AN ARMED ATTACK ON THE METROPOLITAN TERRITORY OF EITHER OF THE PARTIES, OR ON THE ISLAND TERRITORIES UNDER ITS JURISDICTION IN THE PACIFIC OR ON ITS ARMED FORCES, PUBLIC VESSELS OR AIRCRAFT IN THE PACIFIC."

VERCATIN AMERICAN AUTHORITIES HAVE INTERPRETED THE RESPONSIBILITIES OF THE PARTIES -- NAMELY, THE US AND THE PHILIPPINES -- AS NOT REQUIRING INSTANT RETALIATORY ACTION IN THE EVENT OF AN EXTERNAL ATTACK AGAINST THE PHILIPPINES.

DURING THE SYMINGTON SUBCOMMITTEE HEARINGS HELD IN OCTOBER 1969, SENATOR SYMINGTON ASKED MR. JAMES WILSON, DEPUTY CHIEF OF MISSION OF THE AMERICAN EMBASSY IN THE PHILIPPINES, IF THE U.S. WOULD MAKE AN "INSTANTANEOUS RESPONSE" IN CASE ANY OF THE ISLANDS IN THE PHILIPPINES IS ATTACKED. MR. WILSON REPLIED, "MY PERSONAL ANSWER TO THAT WOULD BE THAT IT WOULD NOT. THIS AGAIN IS BASED ON WHAT I THINK IS IMPLICIT IN THE ENTIRE STRUCTURE OF OUR ARRANGEMENTS WITH THE PHILIPPINES. IT DOES RETAIN FOR US A SERIES OF OPTIONS, A CERTAIN FLEXIBILITY ON WHAT OUR RESPONSE WOULD BE. WE WOULD NOT AUTOMATICALLY BE INVOLVED INSITUATION SUCH AS THE ONE YOU (SYMINGTON) DESCRIBED." THE SYMINGTON HEARINGS, PERTAINING TO THE SECRET

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U.S. INTERPRETATIONS OF ITS SECURITY ARRANGEMENTS WITH THE PHILIPPINES, MAY THEREFORE BE SUMMARIZED, THUS: THAT THE US IS NOT COMMITTED UNDER THE MUTUAL DEFENSE TREATY TO TAKE ANY ACTION IN THE EVENT OF AN ATTACK ON THE PHILIPPINES EXCEPT IN ACCORDANCE WITH ITS CONSTITUTIONAL PROCESSES; THAT, DEPENDING ON U.S. EVALUTATION OF THE STITUATION, ITS RESPONSE WILL RANGE FROM "EFFECTIVE DIPLOMATIC ACTION, TO ECONOMIC ASSISTANCE, TO PROVISIONS

OF EQUIPMENT AND LOGISTICAL SUPPORT, TO COMBAT OPERATION,"
AND THAT ANY ATTACK FROM WHATEVER SOURCE NOT INVOLVING
AN ATTACK ON THE U.S. ARMED FORCES WOULD NOT BE
"INSTANTLY REPELLED" AND WOULD NOT "AUTOMATICALLY INVOLVE"
THE U.S.

OFFICIAL QUERIES REGARDING THE ACTUAL RESPONSIBILI-
TIES OF THE U.S. UNDER THE MDT MERITED SIMPLY A REITERA-
TION OF THE CONTENTS OF THE MDT PROVISIONS. THE MOST
RECENT REPLY SENT TO THE PHILIPPINE GOVERNMENT ON JULY
26, 1976 BY AMBASSADOR SULLIVAN, STATED THAT US OBLIGATIONS
ARE:

--TO UNDERTAKE TO SETTLE INTERNATIONAL DISPUTES
BY PEACEFUL MEANS;
--TO SEPARATELY AND JOINTLY MAINTAIN AND DEVELOP
THE CAPACITY TO RESIST ARMED ATTACK;
--TO CONSULT REGARDING THE IMPLEMENTATION OF THE
TREATY;
--TO RECOGNIZE THAT AN ARMED ATTACK IN THE PACIFIC
AREA ON EITHER OF THE PARTIES WOULD BE DANGEROUS
TO ITS PEACE AND SAFETY AND TO ACT TO MEET THE
COMMON DANGER.Z

DURING THE PLENARY SESSION OF JULY 3, 1976 IN THE
CURRENT NEGOTIATIONS, THE PHILIPPINE GOVERNMENT SOUGHT
CLARIFICATION ON WHAT THE U.S. RESPONSE WOULD BE IN THE
SPECIFIC CASE OF AN EXTERNAL ATTACK ON THE REED BANK, A
PART OF THE CONTINENTAL SHELF OF THE PHILIPPINES. ON THIS
ISSUE, AS ARTICULATED BY AMBASSADOR SULLIVAN DURING THE
SAID PLENARY SESSION, THE U.S. CONSIDERS THESE AREAS AS
DISPUTED TERRITORIES; THAT THE OCCUPATION OF THESE ISLANDS
BY HOSTILE FORCES DOES NOT POSE A DIRECT THREAT TO THE
MILITARY BASES IN THE PHILIPPINES OR TO THE AMERICAN

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PRESENCE IN THE AREA. IN EFFECT, THE STAND IS THAT THE
U.S. WILL NOT BE BOUND TO RESPOND. THIS RECENT STATEMENT
IS IN EFFECT A REAFFIRMATION OF THE INTERPRETATION DIS-
CLOSED IN THE SYMINGTON REPORT.

IN THE LIGHT OF THE FOREGOING, THE PHILIPPINE
GOVERNMENT SEEKS A MOST AUTHORITATIVE AND SPECIFIC STATE-
MENT OF THE US GOVERNMENT REGARDING ITS OBLIGATIONS UNDER
THE MUTUAL DEFENSE TREATY OF 1951 IN RELATIONS TO THE
SECURITY OF THE PHILIPPINES, WHETHER IN THE REED BANK OR
IN ANY PART OF THIS COUNTRY, IN MINDANAO OR ELSEWHERE,
IF ATTACKED BY EXTERNAL FORCES. THE PHILIPPINE GOVERNMENT
DESIRES THIS CLARIFICATION SO THAT IT MAY REASSESS AND
ADOPT APPROPRIATE SECURITY AND DEFENSE MEASURES WHICH
WOULD BE RESPONSIVE TO THE EXISTING REALITIES IN THE

REGION.

END QUOTE.

2. DEPSEC ROBINSON WILL COORDINATE APPROPRIATE ACTION
ON REPLY TO THIS AIDE MEMOIRE UPON HIS RETURN TO WASHINGTON.
SULLIVAN

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